



Miedel & Mysliwiec LLP

April 1, 2020

Hon. Katherine Polk Failla  
United States District Judge  
United States District Court  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

**Re: United States v. Brent Borland, 18-CR-487**

Dear Judge Failla,

With the consent of the government, I write to respectfully request both an adjournment of the April 14 conference in this case, as well as the April 7 status letter by the parties.

At my appointment on January 6, 2020, the Court set a next conference date for April 14, 2020, and also instructed the parties to file a letter one week earlier to inform the Court whether I would supplement the preliminary sentencing submissions by previous counsel, rely on those submissions, or file a motion to withdraw Mr. Borland's guilty plea. As the Court is aware, the discovery in Mr. Borland's case is unusually voluminous and complex, and it has taken significant time and effort to learn the case. Those efforts were interrupted in early March with the onset of the COVID-19 crisis. I was forced to vacate my office where (unfortunately) I left all of Mr. Borland's discovery materials, and for the last two weeks at least I have spent virtually all of my time on emergency issues arising for incarcerated clients. I am therefore not yet in a position to inform the Court whether I will file a supplemental submission or a motion to withdraw Mr. Borland's plea.

Accordingly, and with the consent of the government, I respectfully ask the Court to set a deadline of May 29, 2020, for any further submissions concerning Mr. Borland's guideline objections, and to set a conference for some time thereafter. I am not available to appear June 2 or 4.

Thank you very much for your consideration.

Sincerely,

/s/

Florian Miedel  
*Attorney for Brent Borland*

cc: AUSA Edward Imperatore  
AUSA Negar Tekei

Application GRANTED. The Court is aware of the considerable efforts Mr. Miedel has undertaken in making emergency motions for his clients in light of the COVID-19 crisis.

The conference previously scheduled for April 14, 2020, is hereby ADJOURNED to **June 8, 2020, at 3:00 p.m.** The time for Defendant to notify the Court of any further submissions is hereby extended to **May 29, 2020.**

Dated: April 1, 2020  
New York, New York

SO ORDERED.

A handwritten signature in blue ink, reading "Katherine Polk Failla".

HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE